

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
April 13, 2004

Meeting called to order at 6:30 p.m. by Mayor Dirksen.

City Council Present: Mayor Dirksen; Councilors Moor, Sherwood, Wilson, and Woodruff.

- STUDY SESSION

- > PRESENTATION ON LOCAL CONTRACT REVIEW BOARD (LCRB) FUNCTIONS, RULES, AND RESPONSIBILITIES

Financial Operations Manager Imdieke and Buyer Barrett presented Council with information on this agenda item, which was an informal discussion on the function, rules, and responsibilities of the LCRB. Highlights of the points noted by Mr. Barrett were distributed in a handout, which is on file with the City Recorder. Mr. Barrett advised of new rules and laws that resulted from the reworking of ORS 279 by the 2003 State Legislature. These new regulations will go into effect in March 2005. Staff will present the LCRB with proposed changes to the City's policies in early 2005. Mr. Barrett reviewed some of the changes.

- > METRO TIPPING FEES AND EXCISE TAX

Financial Operations Manager Imdieke presented Council with information on this agenda item. A memorandum from Mr. Imdieke to City Manager Monahan explaining the Metro Solid Waste Tip Fee and Excise Tax is on file with the City Recorder. An excise tax is being considered by Metro (increase of \$2 per ton of solid waste) to support regional parks and the Convention Center. In addition to the increase in excise tax, Metro is also looking at increasing other components of the tip fee and the transaction fee (currently \$67.18/ton with a \$6 transaction fee) for a total rate increase of about \$5.12 per ton.

Metro Staff, in informal conversations, have advised that it is the intent of Metro to keep haulers in the region financially whole from any increase in the excise tax, which would mean a pass through charge to customers. This might be an addition of a separate item on a garbage bill and labeled as such or it might become part of the rate setting process that local jurisdictions use to establish rates. Regardless, rates will need to be reviewed because of additional costs associated with the increase in tip fees. One City of Tigard hauler has already approached the City to request a rate review. Metro President

Bragdon and Metro Councilor Hosticka have indicated that they would be willing to visit with Council on this matter. After discussion, Council consensus was for staff to contact Mr. Bragdon and Mr. Hosticka to determine if they would be available to meet with the Council on April 27, 2004. Mr. Imdieke said he would also get some feedback from the haulers for the Council's review.

> **DISCUSS THE COMMUNITY-WIDE PARK AND RECREATION
ASSESSMENT SURVEY PROCESS**

Parks Manager Plaza reviewed this item with the City Council. Quotes were received for the above-referenced survey. The lowest, qualified quote was received from Public Affairs Counsel at \$8,787. No new funds need to be appropriated for this survey; the funds for this project will come from existing funds in the General Fund (Parks Division – Contractual Services). References for Public Affairs Counsel were outstanding. At the April 27, 2004, Council meeting, staff will request that Council authorize the City Manager to contract with the Public Affairs Counsel to do this survey. Mr. Plaza distributed a brochure from the Public Affairs Counsel about public opinion research; a copy of the brochure is on file with the City Recorder.

Mr. Plaza noted the survey could be conducted in early or mid June.

Council reviewed a draft list of survey questions. (This list is on file with the City Recorder.)

Councilor Wilson commented that it would be timely to hear how residents feel about greenspaces – what is their level of support. He referred to his concerns about designating areas as greenspaces with regard to takings/equity issues.

Councilor Woodruff referred to the Skate Park project. He'd like to know whether citizens want to see funding allocated for this effort or should funding be through donations only?

Mayor Dirksen suggested that the third question on the draft list be listed as separate questions. In addition, Councilor Wilson would like survey respondents to be asked whether they were satisfied with the status quo with regard to parks and recreation.

Mr. Plaza advised that Council would have an opportunity to review the questions before the survey is administered.

City Manager Monahan commented that the survey would be conducted shortly after the May 18 election, which might have some influence with how respondents react to the questions asked.

The Parks and Recreation Advisory Board is hopeful that if there is support for parks and recreation funding in the community, that a ballot measure would be placed on the November 2004 ballot.

Council consensus was for staff to proceed with the survey process.

> **ADMINISTRATIVE ITEMS**

City Manager Monahan reviewed the following:

- Changes for the Agenda include:
 - Added an Executive Session (see below – anticipated to convene when the Business meeting concludes)
 - Added a discussion item in Study Session: Metro Tipping Fees and Excise Tax (see above)
 - Added a proclamation to declare April 24, 2004 as Vision and Hearing Day (Item 2.3 – all proclamations are attached)
 - Tigard Area Chamber of Commerce President Dan Murphy was unable to attend to give his monthly report during the Visitor's Agenda; he plans to be at the Council meeting on May 11
- Distributed e-mail communications and a copy of the transcription of a portion of the March 16 City Council Workshop meeting regarding the Washington County Intergovernmental Agreement proposals and the Bull Mountain Annexation Plan process.
- Shining Stars Banquet: April 30, Greenwood Inn; No host bar @ 6 p.m.; Dinner at 7:30 p.m.; Cost \$35 each – (Table(s) for Tigard? A table seats 8 – Silent Auction/Oral Auction. (In 2003, City did not pay for attendees; however, City can coordinate the City's table(s) for those who desire to attend.) Mayor Dirksen and Councilors Moore and Sherwood indicated they would reserve two tickets; Councilor Woodruff one ticket; Councilor Wilson will check his schedule and advise.
- Mayor's Prayer Breakfast – Wednesday, May 5, 7 – 9:15 a.m. – Greenwood Inn. Mayor Dirksen will attend. Councilor Woodruff said he could attend and Councilor Wilson will advise. (City pays for attendees; the Mayor's ticket is complimentary)

The Study Session recessed at 7:26 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the City Council & Local Contract Review Board to order at 7:34 p.m.
- 1.2 Roll Call: Mayor Dirksen; Councilors Moor, Sherwood, Wilson, and Woodruff.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports:
 - o Councilor Woodruff advised he attended the first visioning meeting, which will be meeting every Thursday evening for the next several weeks. He reported that the first meeting went very well.
 - o Councilor Wilson gave an update on the Goal 5 review by the Tualatin Basin Natural Resources Coordinating Committee. The public hearing was held; however, the vote was delayed until the next Committee meeting so the Committee has an opportunity to review the public comment. (More information on this Committee is reported in Agenda Item 8.d. below.)
- 1.5 Call to Council and Staff for Non-Agenda Items: None

2. PROCLAMATIONS

- Mayor Dirksen issued the following proclamations with concurrence of Council:
 - 2.1 Proclaim April 18 through April 25, 2004 as Days of Remembrance "For Justice and Humanity"
 - 2.2 Proclaim April 16 through April 18 as National Youth Service Days
 - 2.3 Proclaim April 24, 2004 as Vision and Hearing Day

3. VISITOR'S AGENDA

- Tigard High School Student Envoy Angela Jensen presented a report on activities at the high school.
- Mark Padgett noted concerns about political signs and urged that these signs be treated the same as any other signs with regard to enforcement of the City regulations. City Manager Monahan advised that staff sent a notice to candidates to educate them about Tigard's sign code. Enforcement of the sign code is prioritized as follows: 1) signs impeding vision clearance; 2) signs on City property and 3) signs placed in public right of way. It would be a major endeavor for staff to collect all signs.

4. CONSENT AGENDA: Motion by Councilor Wilson, seconded by Councilor Sherwood, to approve the Consent Agenda as follows:

- 4.1 Approve Council Minutes for March 9 and 16, 2004
- 4.2 Receive and File:

- a. Council Calendar
- b. Tentative Agenda
- c. Annual Solid Waste Financial Report Findings
- 4.3 Approve Budget Amendment #20 to Accept and Expend Community Emergency Response Team Grant Funds – Resolution No. 04 - 21
- 4.4 Approve Sponsorship Agreement for the Tigard Festival of Balloons - Resolution No. 04 - 22
- 4.5 Approve the 2004 Homeland Security Grant Application
- 4.6 Appoint Budget Committee Members and an Alternate – Resolution No. 04 - 23
- 4.7 Appoint Downtown Task Force Members - Resolution No. 04 – 24

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

5. ANNUAL UPDATE ON THE CITY'S VOLUNTEER PROGRAM

Volunteer Coordinator Koepping and Library Volunteer Coordinator Stormont presented the annual update on the City's Volunteer Program to the City Council. Several volunteers also commented about their experiences as City volunteers. Volunteers are busy in all city departments where they work alongside City employees forming good city-community partnerships.

6. PRESENTATION ON THE POLICE CITIZENS ACADEMY

Police Community Services Officer Wolf presented an update on the Police Citizens Academy. The 12th Academy started on April 27 and, so far, 225 citizens have graduated. The Academy is a nine-week program designed to provide Tigard area residents first-hand information about how their police department works. A copy of the PowerPoint slides highlighting the major points of Mr. Wolf's presentation is on file with the City Recorder.

7. REVIEW THE PROPOSED CAPITAL IMPROVEMENT PROJECTS FOR FY 2004-05

City Engineer Duenas presented the staff report on the proposed Capital Improvement Projects for 2004/05. A copy of the PowerPoint slides highlighting the major points of Mr. Duenas' presentation is on file with the City Recorder.

Staff began the Capital Improvement Program (CIP) formulation process for FY 2004-05 with an overview in Focus on Tigard program in December 2003. This was followed by a Citywide meeting on January 14, 2004 to receive input from the public on the draft list of projects. The Planning Commission commented on the draft list at its meeting on February 2, 2004. Staff presented and received comments on the draft list from City Council at its workshop meeting on February 17, 2004.

The list with all comments considered to date was presented to City Council as a final opportunity for comment and modification. After this meeting, the list will be finalized and submitted for review and approval through the City's budget formulation process. That process includes Planning Commission and Budget Committee review and recommendation in May 2004, and City Council approval in June 2004. The approved CIP budget and project list for FY 2004-05 would become effective July 1, 2004.

Council discussion followed on the proposed projects. Councilor Wilson noted that he appreciated the opportunity to give put input to the Capital Improvement Program earlier in the process.

8. COUNCIL LIAISON REPORTS

- a. Metro Highway 217 Study Policy Advisory Committee – Councilor Moore advised the Committee approved a list of study items at its last meeting. Next, a consultant will analyze effects on the environment and citizens.
- b. Tualatin Basin Water Supply Feasibility Study Policy Steering Committee – Councilor Moore co-chairs this committee with Washington County Board Chair Tom Brian to study the expansion of the water supply, which includes enlarging Scoggins Dam. Consultants are analyzing the effects on the environment and citizens so the Committee can determine how to proceed.
- c. Affordable Housing Committee – Councilor Sherwood reported that the Affordable Housing Committee is considering a real estate transfer tax for the tri-county area; however, nothing is “on paper” yet.
- d. Tualatin Basin Natural Resource Coordinating Committee – Councilor Wilson had commented on this Committee earlier in the meeting with regard to the potential land use changes being considered. He said he doesn't feel the Council has been brought up to speed on the issues the Committee is considering and expressed concerns at the ramifications of designating as much as one-third of all land in the metro area has protected habitat. He noted that much of the land is already protected. He referred to property rights implications and issues of public awareness. The Committee will be voting next week on the draft analyses of watershed health and site specific recommendations on fish and wildlife habitat protection. Councilor Wilson indicated he had reservations about voting yes, saying “...while it is nice to

protect spaces, there is a question of how it gets done..." The vote is an interim decision (not final) and further refinement is to occur over the next six months. Council members expressed support for Councilor Wilson to vote the way he thinks he should.

In response to Councilor Wilson's concern that the Council receive an education on the issues being considered by this Committee, City Manager Monahan advised he would instruct the Community Development staff to work with Councilor Wilson. This topic will be placed on a future Council workshop agenda and scheduled for Council review on a regular basis.

9. NON AGENDA ITEMS: None

Business meeting concluded at 9:40 a.m. and Council met to discuss the following Study Session items:

> REVIEW THE 2004-05 CITY COUNCIL PROPOSED BUDGET

City Recorder Wheatley reviewed information presented to the Council on the proposed Council budget. After discussion, consensus of Council was that the proposed budget was acceptable as presented. Council did not, however, make a final determination on whether to continue membership in the Westside Economic Alliance; membership costs \$4,500 per year. They discussed the value of this to the City. Councilor Sherwood commented that the money might be better spent on other things. Councilor Wilson is the City's representative to Westside Economic Alliance, but is relatively new to this group and he and the other Council members asked that this be brought up again during the Budget Committee's discussion on the Council budget.

> REVIEW CITY COUNCIL AND STAFF LIAISON APPOINTMENTS

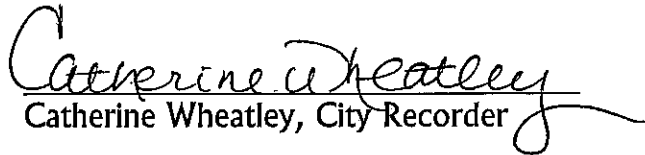
No changes will be made until the results of the Mayor/Council elections in November are known.

> DISCUSS THE CITY MANAGER'S PERFORMANCE REVIEW (This item was discussed in Executive Session.)


> BULL MOUNTAIN ANNEXATION PLAN: After discussion about the request for King City to evaluate annexation of the Bull Mountain area, Council agreed that the letter prepared by Community Development Director Hendryx be forwarded to King City Mayor Wilkinson. A copy of the draft letter is on file with the City Recorder.

10. EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 10:28 p.m. as provided by ORS 192.660 (1) (h) and (i) to discuss pending litigation and the evaluation of the City Manager under previously established criteria.

11. ADJOURNMENT: 10:52 p.m.


Catherine Wheatley, City Recorder

Attest:



Mayor, City of Tigard

Date: 5.11.04

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